

ORIGINAL

BEFORE THE  
**Federal Communications Commission**  
WASHINGTON, D. C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )

IMPLEMENTATION OF SECTION 9 )  
OF THE COMMUNICATIONS ACT )

MD DOCKET NO. 94-19

Assessment and Collection of )  
Regulatory Fees for the 1994 )  
Fiscal Year )

TO: The Commission

**PETITION FOR RECONSIDERATION**

Dennis J. Kelly

CORDON AND KELLY  
Post Office Box 6648  
Annapolis, MD 21401

Counsel for:

WITHERS BROADCASTING COMPANY  
OF TEXAS  
W. RUSSELL WITHERS, JR.

July 8, 1994

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## S U M M A R Y

Withers Broadcasting Company of Texas, licensee of KAVU-TV, Victoria, Texas, and W. Russell Withers, Jr., licensee of KREX-TV, Grand Junction, Colorado and "satellite" stations KREG-TV, Glenwood Springs, KREY-TV, Montrose and KREZ-TV, Durango, all Colorado, urge that the June 8, 1994 **Report and Order** in this proceeding be modified as follows: first, that television stations which home counties have been assigned to top 100 ADI's by Arbitron but which do not provide a Grade B or better signal to all or part of the principal city of the ADI should pay the regulatory fee specified for "remaining markets"; and second, that the Commission treat parent/satellite television station combinations operating in markets smaller than the 100th ADI as one station for purposes of calculating the payment of the regulatory fee.

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TO: The Commission

**PETITION FOR RECONSIDERATION**

Withers Broadcasting Company of Texas, licensee of UHF Television Broadcast Station KAVU-TV, Victoria, Texas (WBC), and W. Russell Withers, Jr., licensee of Television Broadcast Station KREX-TV, Grand Junction, Colorado and its satellite stations KREG-TV, Glenwood Springs, KREY-TV, Montrose and KREZ-TV, Durango, all Colorado (Withers), by their attorney, and pursuant to Section 405 of the Communications Act of 1934, as amended, 47 U.S.C. §405 and Section 1.106 of the Commission's Rules, hereby respectfully submits this Petition for Reconsideration of the **Report and Order** in the above-captioned matter, FCC 94-140, 9 FCC Rcd --, released June 8, 1994. In support whereof, the following is shown:

**Preliminary Statement**

1. **KAVU-TV.** WBC seeks reconsideration of the **Report and Order** to the extent that it seeks the Commission to clarify or modify paragraph 24 of Appendix B, "Guidelines for Regulatory Fee Categories". WBC seeks relief for itself and for other similarly-situated small television stations serving small cities which have been, either through a quirk of the Arbitron ratings system or against its will, found by Arbitron to be in a large market. WBC is writing about the so-called "non-ADI" markets, where stations operate in small, single county markets some distance from the principal city (or cities) of the ADI, and generally do not provide even Grade B service to the principal city (or cities) of the ADI. A list of these stations as compiled by the undersigned utilizing Warren Publishing's **Television & Cable Factbook, Volume No. 62, 1994 Edition**, is attached hereto as Exhibit A.

2. It is clear from 47 U.S.C. §159(g) that Congress intended that stations operating and serving the top 100 television markets pay the highest regulatory fees. Stations in the "remaining markets" are to pay the lowest

regulatory fees of the five categories provided in that subsection.

3. However, Appendix B to the **Report and Order** has the perverse result of placing authentic small market television stations in larger markets for purposes of assessment and collection of the regulatory fees. It has done this through reliance on Arbitron ratings data, although the basis for such reliance is unexplained in the **Report and Order**. Thus, the Commission has adopted a rule which is, by its nature, arbitrary, capricious and irrational. Furthermore, the effect of the adoption of this rule upon WBC's KAVU-TV and the other similarly situated stations listed in Exhibit A is violative of Article I, Section 8, Clause 1 of the federal Constitution which requires that "all Duties, Imposts and Excises shall be uniform throughout the United States".

4. **KREX-TV**. KREX-TV is licensed to Grand Junction, Colorado, the largest town west of the Rocky Mountains in Colorado. Grand Junction is the 188th largest television market in the nation (**1994 TV & Cable Factbook**, p. A-185). In order to adequately serve the so-called "Western Slope" of Colorado and adjacent remote rural areas in eastern Utah

and northwest New Mexico, and to ensure the financial viability of over-the-air television service in this extremely remote and rural area Withers operates three "satellite" television stations and 31 television translator stations. Assuming *arguendo* that this operation reached every television household in every county in whole or in part within the Grade B contours of KREX-TV, KREG-TV, KREY-TV and KREZ-TV, Withers' Grand Junction television facility would have a total universe of 184,600 television households. This would rank it a mere 122nd in the nation, behind Traverse City-Cadillac, Michigan, which has 185,200 television households.<sup>1</sup> (Source: Material described in Exhibit B attached hereto and **1994 TV & Cable Factbook**, p. A-3).

4. Yet, under the rules adopted by the Commission in the **Report and Order**, Withers is mandated to pay an aggregate regulatory fee of \$24,185.00 (\$5,000 for KREX-TV, \$5,000 for each of the three "satellite" stations, and \$135 for each of the 31 translator/low power stations. This, to

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<sup>1</sup>Ironically, Traverse City-Cadillac is a large, sparsely populated mass of counties in northern lower Michigan and the eastern Upper Peninsula of Michigan, dominated by four "satellite" television operations (WPBN/WTOM, WWTW/WWUP-TV, WGTU/WGTQ and WGKI/WGKU).

reach a total universe of television households which would only qualify for 122nd on Arbitron's list of national television markets.

5. In view of the fact that a single VHF television station in a top 10 television station, in areas of flat terrain with no need for translators or "satellite" stations, is mandated to pay only \$18,000.00.<sup>2</sup> This means, for example, that VHF stations in Houston, Texas will be paying 74.4% of the regulatory fee paid by Withers for the privilege of serving 8.24 times as many homes as does Withers.<sup>3</sup> This is both an anomaly and an outrage. Pursuant to 47 U.S.C. §159(d), the Commission has the right to "waive, reduce or defer payment of a fee in any specific instance for good cause shown, where such action would promote the public interest". Withers therefore requests that the Commission fashion a special rule for "satellite"

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<sup>2</sup>According to **1994 TV & Cable Factbook**, p. A-1, the 10th largest market, Houston, Texas, has a total television household universe of 1,520,900. This market has 8.24 times as many television households as does the region served by Withers' stations.

<sup>3</sup>Another way of looking at the same proposition is that, under the rules as adopted, Withers is being mandated to pay 134% of the fee charged to the Houston, Texas VHF stations for the privilege of serving 12.14% of the households served by the Houston stations.

stations operating in markets where, when all households served by the combined operation of parent and "satellite" stations do not equal the total number of households in the 100th largest television market.<sup>4</sup> For totals smaller than the 100th largest television market, the combined operation would pay one fee equal to the fee for a single station operating in "remaining markets": \$5,000 for VHF stations; \$4,000 for UHF stations.

#### **Discussion**

6. **KAVU-TV**. As demonstrated in Exhibit A, there are 35 television stations similarly situated with KAVU-TV. Historically, Victoria, Texas was assigned to a separate television market by Arbitron; for example, see Exhibit C, page A-1060 from the **1991 TV & Cable Factbook No. 59**, showing Victoria as a separate television market with 26,100 television households, market no. 205.

7. However, in 1994, for the first time, Victoria was consolidated with San Antonio by Arbitron, without the consent of WBC, into the "San Antonio-Victoria" ADI. This Arbitron creation has nothing to do with the two Victoria

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<sup>4</sup>According to the **1994 TV & Cable Factbook**, at p. A-2, the 100th largest market is El Paso, Texas, with 242,000 television households.



stations, KAVU-TV and KVCT, neither of which even come close to placing a Grade B signal into San Antonio (Exhibit D); likewise, none of the San Antonio stations place a Grade B or better signal over the city of Victoria.

8. Indeed, the Nielsen Station Index continues to find Victoria as a separate Designated Market Area (DMA), and as such, Victoria is the 207th largest DMA in the nation. WBC has knowlege of the reason for the divergence between Arbitron and Nielsen: neither Victoria station is an Arbitron subscriber, and when Arbitron could not sell its ratings data in Victoria, it consolidated Victoria into the San Antonio market. To the contrary, KAVU-TV is a Nielsen subscriber.

9. The Commission is relying on Arbitron data in assessing taxes ("regulatory fees") against broadcasters. In its **Report and Order**, the Commission has failed to state a rational basis for its selection of Arbitron data over data compiled by the Nielsen organization. Without such a rational basis, it is arbitrary, capricious, irrational and contrary to law to utilize Arbitron data. Thus, the choice of such data is illegal. 5 U.S.C. §§553(b), 706(2)(A)(D); see **National Black Media Coalition v. FCC**, 791 F.2d 1016, 60

RR 2d 855, 862 (2d Cir. 1986) ("In this circuit we have said that 'it is "arbitrary and capricious" for an agency not to take into account all relevant factors in making its decision'".); and **St. James Hospital v. Heckler**, 579 F. Supp. 757, *aff'd*, 760 F.2d 1460 (7th Cir. 1985), cert den., 474 U.S. 902 (1985) (agency rule is arbitrary and capricious if agency entirely failed to consider an important aspect of a problem).

10. Furthermore, the **Report and Order** fails to deal with stations in the posture of the 36 stations listed in Exhibit A. The Commission does not make any statement as to these stations, which do not provide competitive signals throughout their Arbitron-assigned ADI's, but which serve small, one-, two- or three-county marketplaces, except to rely on Arbitron data to lump them into the big markets

11. In the case of KAVU-TV, Arbitron has lumped Victoria County (the station's home county), into the "San Antonio-Victoria" market. However, of the approximately 26 counties in this ADI, KAVU-TV provides Grade B or better service to only three: Victoria, DeWitt and Lavaca (as can be seen from Exhibit D, KAVU-TV places Grade B or better service over portions of Refugio and Goliad counties in the

Corpus Christi market and Jackson, Calhoun, Colorado, Wharton and Matagorda counties in the Houston market. According to the **1994 TV & Cable Factbook**, p. A-1182, KAVU-TV has 50% or better net weekly circulation (NWC) in only three counties, Calhoun, Goliad and Victoria, with an aggregate 34,600 television households, 25-49% NWC in Lavaca County with 7,000 television households and 5-24% NWC in DeWitt, Jackson, Matagorda, and Wharton Counties, an aggregate of 38,200 households. This is a total of 79,800 households; the "San Antonio-Victoria ADI" total is 636,300 households.

12. It is arbitrary, capricious and contrary to law for the Commission to enact a rule forcing KAVU-TV into a "regulatory fee" category other than that for "remaining markets". KAVU-TV does not serve a top 100 television market; it does not provide service to San Antonio, a city some 100 miles to the northwest; it is not licensed to serve San Antonio; and, pursuant to the scheme intended by Congress, it should not have to pay a regulatory fee commensurate with that paid by the San Antonio television licensees.

13. Moreover, by forcing the 36 stations listed on Exhibit A to pay a regulatory fee intended for major market stations, the Commission has enacted a rule which violates Article I, Section 8, Clause 1 of the federal Constitution which requires that "all Duties, Imposts and Excises shall be uniform throughout the United States".

14. Clearly, without a rational basis or justification, KAVU-TV would be paying a higher regulatory fee than other similarly situated stations. For example, compare KAVU-TV with WHIZ-TV, a UHF station licensed to Zanesville, Ohio. Despite the fact that Zanesville is much closer (approximately 50 miles) to major market city Columbus, Ohio than Victoria is to San Antonio, by a quirk of Arbitron's internal practices, Zanesville is a one-county ADI, the 203rd largest ADI. As shown in Exhibit E, WHIZ-TV has a net weekly circulation of 50% or greater in 45,100 homes, a 25-49% net weekly circulation in 39,200 homes, and a 5-24% net weekly circulation in 158,400 homes, for an aggregate universe of 242,700 television households. This is over three times the number of TV households in KAVU-TV's universe of viewing. The stations have similar facilities.

Yet, the plain meaning of the **Report and Order** has KAVU-TV paying \$9,600.00, while WHIZ-TV need only pay \$4,000.00.

15. This proves that, under the **Report and Order**, the fees to be imposed are not geographically uniform. Therefore, as applied to KAVU-TV and the other 35 stations listed on Exhibit A any regulatory fee greater than the fee imposed for "remaining markets" is violative of Article I, Section 8, Clause 1 and therefore unconstitutional.

16. If the Commission checks its designated trade publication, **1994 TV & Cable Factbook**, it will find similar stories for the other 35 television stations in the same posture as KAVU-TV. Fundamental fairness, simple common decency and the federal Constitution all require the Commission to amend its new rules or to modify its policies to place the stations listed in Exhibit A in the regulatory fee classification of "remaining markets".

17. **KREX-TV**. Above, Withers has demonstrated the financial blow he will suffer, a regulatory fee burden far out of proportion to that to be borne by television licensees in the top 10 markets, because of the Commission's unwillingness to grant relief to operators of "satellite" stations.

18. There is attached hereto as Exhibit F a list of satellite station operations in markets smaller than the 100th largest ADI. This is a substantial list. In most cases, these operators serve the public interest by providing off-the-air "free" television programming to vast, sparsely populated regions. In the case of Withers, it is the western slope of Colorado. In the case of other broadcasters, it can be the western half of North Dakota (ADI 152), western South Dakota and portions of three adjacent states (ADI 168), or the intermountain regions of southern Washington and northeast Oregon (ADI 124). In all, our review of the **1994 TV & Cable Factbook** has revealed 45 parent/satellite combinations operating in markets smaller than the 100th ADI.

19. Withers requests the Commission to revisit its treatment of "satellite" stations. Clearly, note 5 to 47 CFR §73.3555 provides that the Commission's multiple ownership rules will not be applied to cases involving television stations that are "satellite" operations. In other words, for purposes of the multiple ownership rules, the Commission treats parent and satellite station as if the entire combination of stations is one station. The

Commission clearly has the authority pursuant to 47 U.S.C. §159(d) to tailor the regulatory fee program in a manner that serves the public interest. It is respectfully submitted that the assessing of multiple regulatory fees on parent/satellite operations in markets smaller than ADI 100 is inimical to the public interest. It is nothing more than a good swift kick to the backside to broadcasters who provide off-the-air television service to remote rural regions where, often times, cable television is not available.

20. Particularly in view of the 45 broadcast operations that have been singled out for punishment by operation of the rules adopted in the **Report and Order**, the Commission is urged to reconsider its decision, and to rule that a parent/satellite operation in markets smaller than the 100th ADI pay one fee: \$5,000 where the parent station is VHF; \$4,000 where the parent station is UHF.


### **Conclusion**

21. For the foregoing reasons, all of which demonstrate the arbitrariness and capricious nature of the two aspects of the **Report and Order** dealt with herein, WBC and Withers urge that said **Report and Order** be modified as

follows: first, that television stations which home counties have been assigned to top 100 ADI's by Arbitron but which do not provide a Grade B or better signal to all or part of the principal city of the ADI should pay the regulatory fee specified for "remaining markets"; and second, that the Commission treat parent/satellite television station combinations operating in markets smaller than the 100th ADI as one station for purposes of calculating the payment of the regulatory fee.

Respectfully submitted,

**WITHERS BROADCASTING COMPANY  
OF TEXAS  
W. RUSSELL WITHERS, JR.**

By   
Dennis J. Kelly  
(D.C. Bar #292631)  
Their Attorney

CORDON AND KELLY  
Post Office Box 6648  
Annapolis, MD 21401  
Telephone: 410-280-6290 or  
202-293-2300  
July 8, 1994



**EXHIBIT A**

## EXHIBIT A

The following is a list of non-"satellite" stations licensed to small communities within the top 100 television ADI's determined by Arbitron and reported in the **1994 TV & Cable Factbook**. In each case, the Grade B contour of the affected station does not encompass any part of the central city or cities of the ADI in question.

<u>Station</u>	<u>City of License</u>	<u>ADI</u>
KMOH-TV	Kingman, Arizona	Phoenix
KUSK	Prescott, Arizona	Phoenix
KHIZ	Barstow, California	Los Angeles
KFTY	Santa Rosa, California	San Francisco
KSTV-TV	Ventura, California	Los Angeles
KSBS-TV	Steamboat Springs, CO	Denver
WHAI-TV	Bridgeport, Connecticut	New York
WFGX	Fort Walton Beach, FL	Mobile-Pensacola
WOGX	Ocala, Florida	Orlando-Daytona Bch
WEYS	Key West, Florida	Miami
WNEG-TV	Toccoa, Georgia	Greenville-Spartanb.
WWTO-TV	LaSalle, Illinois	Chicago
WCEE-TV	Mt. Vernon, Illinois	St. Louis
KJMH	Burlington, Iowa	Davenport-Rock Is.
WLJC	Beattyville, Kentucky	Lexington
WYMT-TV	Hazard, Kentucky	Lexington
WGOT	Merrimack, New Hampshire	Boston
WWAC-TV	Atlantic City, NJ	Philadelphia
WMGM-TV	Wildwood, NJ	Philadelphia
KHFT	Hobbs, New Mexico	Albuquerque
KRPV	Roswell, New Mexico	Albuquerque
WTZA	Kingston, New York	New York
WFAY	Fayetteville, NC	Raleigh-Durham
WHKY-TV	Hickory, NC	Charlotte
WRMY	Rocky Mount, NC	Raleigh-Durham
WOAC	Canton, Ohio	Cleveland
WMFD-TV	Mansfield, Ohio	Cleveland
WGGN-TV	Sandusky, Ohio	Cleveland
WBPH-TV	Bethlehem, Pennsylvania	Philadelphia
WOST-TV	Block Island, Rhode Is.	Providence
WKZX	Cookeville, Tennessee	Nashville
WINT-TV	Crossville, Tennessee	Knoxville

KVAW-TV	Eagle Pass, Texas	San Antonio
KAVU-TV	Victoria, Texas	San Antonio
KVCT	Victoria, Texas	San Antonio
KCWT	Wenatchee, Washington	Seattle-Tacoma

## **EXHIBIT B**

## EXHIBIT B

This exhibit presents television households for all counties wholly- or partially-encompassed by the Grade B contours of KREX-TV, KREG-TV, KREY-TV and KREZ-TV.

<u>County</u>	<u>Television Households</u>
Archuleta, CO	2,000
Chaffee, CO	4,600
Clear Creek, CO	3,100
Delta, CO	7,900
Eagle, CO	8,400
Garfield, CO	11,500
Grand, CO	3,000
Grand, UT	2,200
Gunnison, CO	3,600
Jackson, CO	600
Lake, CO	2,200
LaPlata, CO	11,900
Mesa, CO	36,800
Moffat, CO	3,800
Montezuma, CO	6,500
Montrose, CO	9,300
Ouray, CO	900
Park, CO	2,900
Pitkin, CO	5,700
Rio Arriba, NM	11,200
Rio Blanco, CO	2,100
Routt, CO	5,300
San Juan, NM	27,400
Summit, CO	5,300
Uintah, UT	<u>6,400</u>
TOTAL	184,600

# Colorado—Grand Junction

## KREX-TV

Ch. 5

(Operates satellites KREZ-TV, Durango;  
KREG-TV, Glenwood Springs & KREY-TV, Montrose, CO)

Network Service: CBS, NBC.

Licensee: W. Russell Withers Jr., Box 1508, Mount Vernon, IL 62864.

Studio: 345 Hillcrest Manor, Grand Junction, CO 81501.

Mailing Address: Box 789, Grand Junction, CO 81502.

Telephone: 303-242-5000. TWX: 910-929-6992. Fax: 303-242-0886.

Technical Facilities: Channel No. 5 (76-82 MHz). Authorized power: 12.9-kw visual, 6.46-kw aural. Antenna: Minus 10-ft. above av. terrain, 343-ft. above ground, 5004-ft. above sea level.

Latitude 39° 05' 15"  
Longitude 108° 33' 56"

Transmitter: Hillcrest Manor.

Satellite Earth Stations: AFC, 3.66-meter Ku-band; Scientific-Atlanta, 7-meter C-band; Scientific-Atlanta, 4.6-meter C-band; Simulcast, 5-meter C-band; Agile, M/A-Com, Microdyne, Scientific-Atlanta receivers.

News Service: AP.

Ownership: W. Russell Withers Jr. (Group Owner).

Began Operation: May 22, 1954. Sale to present owner by E & W approved by FCC June 6, 1985. Transfer of control from Carl Q. Anderson, et al., to E & W Bcstg. Corp. approved by FCC May 15, 1984. Previous transfer to Rex G. Howell from Forestville Realty approved by FCC Aug. 11, 1972. Transfer to Forestville, et al., from Howell (Western Slope Bcstg.) approved Sept. 21, 1966 (Television Digest, Vol. 6:19, 39).

Represented (sales): Katz Continental Television.

Represented (legal): Baraff, Koerner, Olender & Hochberg, P.C.

Personnel:

Joseph A. Carriere, General Manager.

Al Ladage, Director of Engineering.

Don Bona, General Sales Manager.

Mike Moran, News Director.

Doug Pribble, Promotion Director.

Wes Butler, Production Manager.

June Worley, Business Manager.

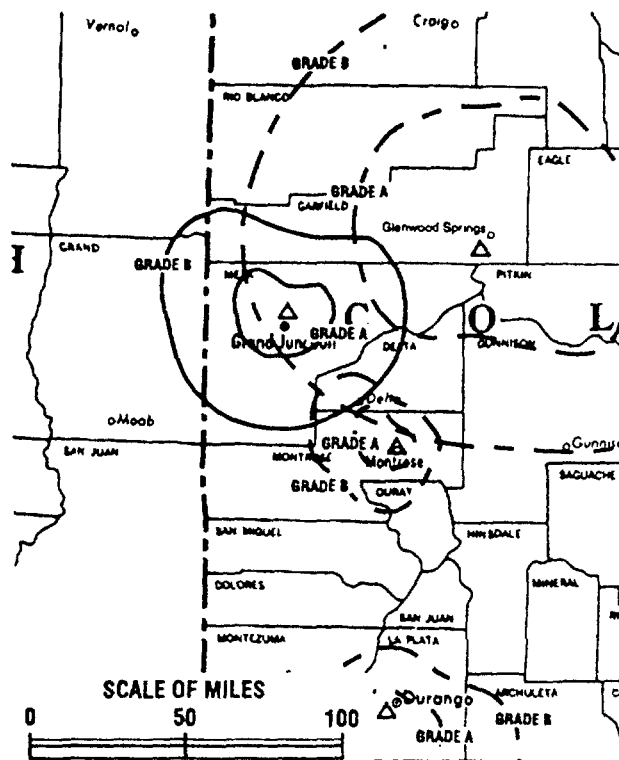
Rates: On request.

Arbitron Data: Includes KREZ-TV, Durango; KREG-TV, Glenwood Springs & KREY-TV, Montrose, CO.

City of License: Grand Junction. ADI: Grand Junction-Durango. Rank: 188.

Total Households: ©MSI Consumer Market Data as of 1/1/93. TV Homes, TV% and Circulation ©1993 Arbitron. County coverage based on Arbitron study.

Net Weekly Circulation	State County	Total Households	TV Households	%
50% & Over	COLORADO			
	Delta	8,200	7,900	96
	Garfield	12,000	11,500	96



KREX-TV BMPCT-3797 Granted 4/20/56

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Net Weekly Circulation	State County	Total Households	TV Households	%
50% & Over	Gunnison	3,800	3,600	95
	La Plata	12,400	11,900	96
	Mesa	37,600	36,800	98
	Montrose	9,600	9,300	97
	Ouray	1,000	900	89
	Pitkin	6,200	5,700	92
Between 25-49%	COLORADO			
	Eagle	8,800	8,400	95
	Montezuma	6,800	6,500	96
	San Miguel	1,600	1,500	94
	UTAH			
Between 5-24%	Grand	2,400	2,200	92
	COLORADO			
	Archuleta	2,100	2,000	95
	Rio Blanco	2,200	2,100	95
	San Juan	300	300	100
NEW MEXICO	San Juan	28,800	27,400	95
	UTAH			
	San Juan	3,400	3,200	94
Station Totals		147,200	141,200	96
Net Weekly Circulation (1993)			80,200	
Average Daily Circulation (1993)			43,300	

## Colorado—Glenwood Springs

### KREG-TV

Ch. 3

(Satellite of KREX-TV, Grand Junction, CO)

Network Service: CBS, NBC.

Licensee: W. Russell Withers Jr., Box 1508, Mount Vernon, IL 62864.

Studio: 1629C Dolores Way, Carbondale, CO 81623.

Telephone: 303-963-3333.

Technical Facilities: Channel No. 3 (60-66 MHz). Authorized power: 67.6-kw visual, 6.76-kw aural. Antenna: 2530-ft. above av. terrain, 202-ft. above ground, 10,602-ft. above sea level.

Latitude	39°	25'	05"
Longitude	107°	20'	01"

Transmitter: 9.5-mi. SSW of Glenwood Springs.

News Service: AP.

Ownership: W. Russell Withers Jr. (Group Owner).

Began Operation: January 28, 1984. Left air 1986. Sale to present owner by Western Slope Communications Ltd. approved by FCC May 13, 1987. Resumed operation Sept. 16, 1987.

Represented (sales): Katz Television.

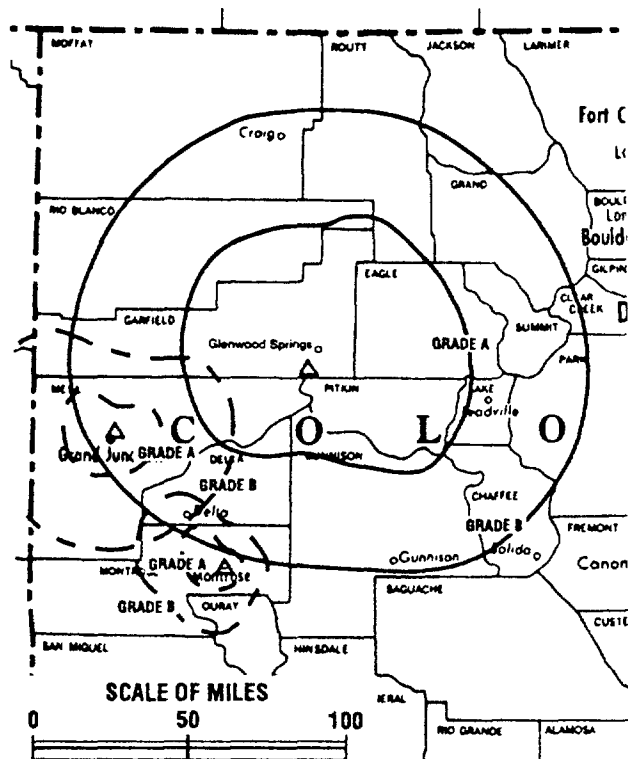
Represented (legal): Baraff, Koerner, Olender & Hochberg, P.C.

Personnel:

Joseph A. Carriere, General Manager.

Al Ladage, Chief Engineer.

Aritron Data: Included with KREX-TV, Grand Junction, CO.



KREG-TV BMPCT-821015KE Granted 5/24/83 © American Map Corp., No. 14244

City of License: Glenwood Springs. ADI: Denver. Rank: 20.

## Colorado—Montrose

### KREY-TV

Ch. 10

(Satellite of KREX-TV, Grand Junction)

**Network Service:** CBS, NBC.

**Licensee:** W. Russell Withers Jr., Box 1508, Mount Vernon, IL 62864.

**Studio:** 610 N. 1st St., Montrose, CO 81401.

**Telephone:** 303-249-9601.

**Technical Facilities:** Channel No. 10 (192-198 MHz). Authorized power: 6.16-kw visual, 1.36-kw aural. Antenna: 115-ft. above av. terrain, 94-ft. above ground, 6374-ft. above sea level.

Latitude	38°	31'	02"
Longitude	107°	51'	12"

**Transmitter:** Flat Top Mountain, 2.25 mi. NE of Montrose.

**Satellite Earth Station:** AFC, 3.66-meter Ku-band; Agile, M/A-Com receivers.

**News Service:** AP.

**Ownership:** W. Russell Withers Jr. (Group Owner).

**Began Operation:** September 18, 1956. Sale to present owner by E & W Bcstg. Corp. approved by FCC June 6, 1985.

**Represented (sales):** Katz Television.

**Represented (legal):** Baraff, Koerner, Olender & Hochberg, P.C.

#### Personnel:

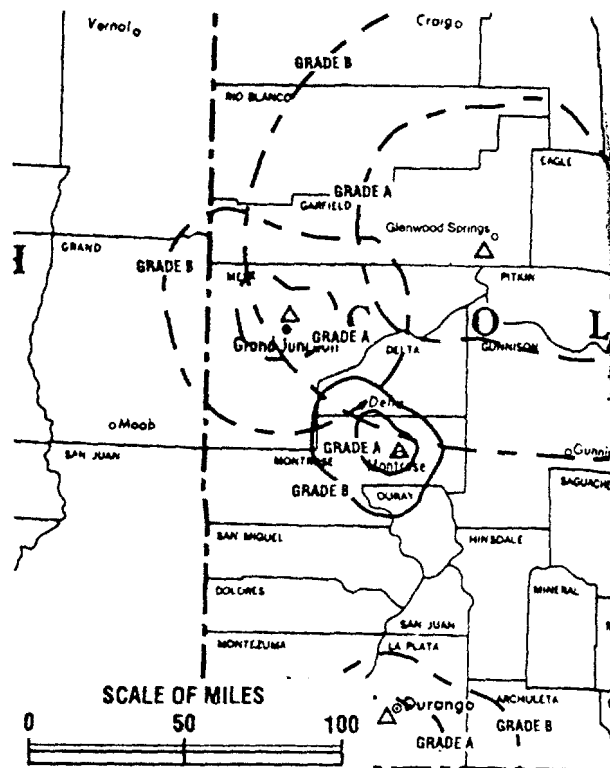
**Joseph A. Carriere**, General Manager.

**Pam Miles**, Local Sales Manager.

**Al Ladage**, Chief Engineer.

**Veda Urbanes**, News Director.

**Paul Turner**, Production Manager.



KREY-TV BPCT-851001KF. Granted 1/10/86 © American Map Corp., No. 14244

**Rates:** On request.

**NETWORK BASE HOURLY RATE:** Bonus to KREX-TV, Grand Junction.

**City of License:** Montrose. ADI: Grand Junction-Durango Rank: 188.



## Colorado—Durango

### KREZ-TV

Ch. 6

(Satellite of KREX-TV, Grand Junction, CO)

**Network Service:** CBS, NBC.

**Licensee:** W. Russell Withers Jr., Box 1508, Mount Vernon, IL 62864.

**Studio:** 170 Turner Dr., Durango, CO 81301.

**Telephone:** 303-259-6666.

**Technical Facilities:** Channel No. 6 (82-88 MHz). Authorized power: 6.2-kw visual, 1.36-kw aural. Antenna: 361-ft. above av. terrain, 142-ft. above ground, 7844-ft. above sea level.

Latitude	37°	15'	44"
Longitude	107°	53'	58"

**Transmitter:** Smelter Mountain, 1-mi. SW of Durango.

**Satellite Earth Stations:** AFC, 5-meter C-band; AFC, 3.66-meter Ku-band; Agile, M/A-Com, Microdyne receivers.

**News Service:** AP.

**Ownership:** W. Russell Withers Jr. (Group Owner).

**Began Operation:** November 4, 1963. Left the air March 2, 1964 and was sold to Ruth G. Kendrick, et al., by Floyd & Lieselotte Jetter. FCC approved transfer Aug. 12, 1964. Resumed operation Sept. 4, 1965. Sale to present owner by E & W Bcstg. Corp. approved by FCC June 5, 1985. Sale to E & W by Ruth G. Kendrick, et al., approved by FCC May 15, 1984.

**Represented (sales):** Katz Television.

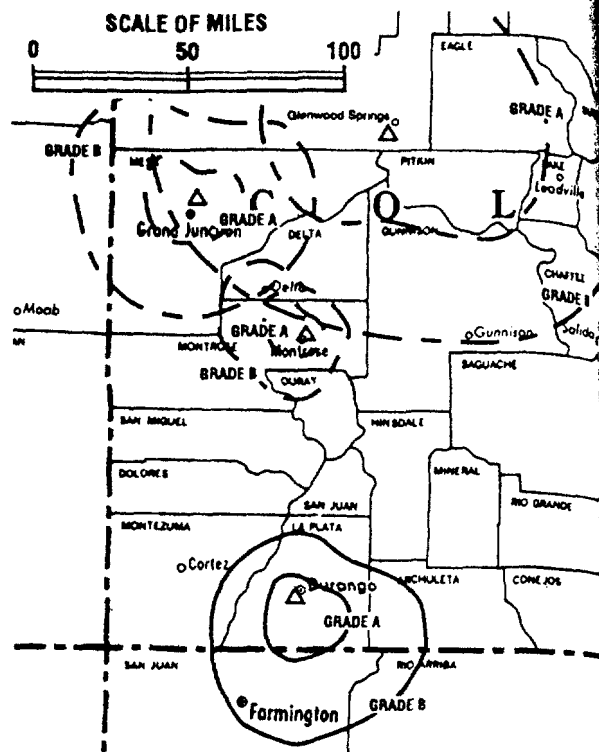
**Represented (legal):** Baraff, Koerner, Olender & Hochberg, P.C.

**Personnel:**

Joseph A. Carriere, General Manager.

Jack Llewellyn, Local Sales Manager.

Al Ladage, Chief Engineer.



KREZ-TV BPC7-850821K1 Granted 9/30/85 © American Map Corp., No. 14244

**Rates:** On request.

**NETWORK BASE HOURLY RATE:** Bonus to KREX-TV, Grand Junction, CO.

**Arbitron Data:** Included with KREX-TV, Grand Junction, CO.

**City of License:** Durango. ADI: Grand Junction-Durango. Rank: 188.